HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE G.V. SEETHAPATHY

WRIT PETITION No. 14931 OF 2006

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Between:

Manavahakkula Seva Samaj,
5/384-1, Stonehousepet,
Nellore, rep. by its Secretary,
D. Penchalaiah

……Petitioner

And

The Nellore Municipal Corporation,
Nellore, rep. by its Commissioner
and two others

……Respondents

:: ORDER ::

Counsel for the Petitioner : Sri C. Sumon

Counsel for Respondent No.1 : Sri S. Venkateswara Reddy

Counsel for Respondent No.2 : Government Pleader for Revenue

Counsel for Respondent No.3 : Government Pleader for Roads and Buildings

Dated: 20-07-2006

Per G.S. SINGHVI, CJ

In this petition filed as a piece of public interest litigation, Manavahakkula Seva Samaj, Nellore has prayed for restraining the respondents from increasing the size of the traffic island at the junction near Old Madras Bus Stand, Nellore.

We have heard Sri C. Sumon, learned counsel for the petitioner and Sri S. Venkateswara Reddy, counsel for Nellore Municipal Corporation and are convinced that there is no warrant for the Court's intervention in the matter. In our considered view, the concerned authorities of the district administration and Municipal Corporation who are undertaking construction work at the site must have studied the problem of traffic congestion and other relevant factors and then taken a decision to increase the size of the traffic island. The Court does not possess the expertise in these matters. Therefore, we see no valid ground or justification to restrain the respondents from continuing the ongoing work at the traffic island. At the same time, we feel that it would be in the interests of justice to direct District Collector, Nellore and authorities of Municipal Corporation, Nellore to examine representation dated 23-06-2006 made by the petitioner and, if any merit is found therein, then take steps to redeem the wrong allegedly done to the public by increasing the size of the traffic island.

With the above observations, the writ petition is disposed of.

G.S.SINGHVI, CJ

G.V. SEETHAPATHY,J

20-07-2006
svs